

State of South Dakota

EIGHTY-FOURTH SESSION
LEGISLATIVE ASSEMBLY, 2009

400Q0185

HOUSE BILL NO. 1032

Introduced by: The Committee on Health and Human Services at the request of the
Department of Human Services

1 FOR AN ACT ENTITLED, An Act to revise the definition of an accredited prevention or
2 treatment facility for the purposes of the prevention and treatment of alcohol and drug abuse.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF SOUTH DAKOTA:

4 Section 1. That subdivision (1) of § 34-20A-2 be amended to read as follows:

5 (1) "Accredited prevention or treatment facility," a private or public agency meeting the
6 standards prescribed in § 34-20A-27 and listed under § 34-20A-47, or a private or
7 public agency or facility surveyed and accredited by the ~~joint commission on~~
8 ~~accreditation of health care organizations~~ Joint Commission on Accreditation of
9 Health Care Organizations; an Indian Health Service's quality assurance review under
10 the Indian Health Service Manual, Professional Standards-Alcohol/Substance Abuse;
11 or the Commission on Accreditation of Rehabilitation Facilities under the ~~Drug and~~
12 ~~Alcohol Treatment Standards Incorporated~~ drug and alcohol treatment standards
13 incorporated and adopted by the division in rules promulgated pursuant to chapter 1-
14 26, if proof of such accreditation, with accompanying recommendations, progress
15 reports and related correspondence are submitted to the Division of Drug and



1 Alcohol Abuse in a timely manner;

2 Section 2. That § 34-20A-44 be amended to read as follows:

3 34-20A-44. The Division of Drug and Alcohol Abuse shall inspect accredited prevention
4 or treatment facilities to insure compliance with this chapter. For purposes of inspection, the
5 division shall have access to the facility and its records at reasonable times and in a reasonable
6 manner. This section does not apply to facilities accredited pursuant to accreditation by the Joint
7 Commission on Accreditation of Health Care Organizations~~—or, the Commission on~~
8 Accreditation of Rehabilitation Facilities, or an Indian Health Service's quality assurance review
9 under the Indian Health Service Manual, Professional Standards-Alcohol/Substance Abuse.

10 Section 3. That § 34-20A-44.1 be amended to read as follows:

11 34-20A-44.1. If a public or private agency or facility is considered to be an accredited
12 prevention or treatment facility by reason of compliance with accreditation by the Joint
13 Commission on Accreditation of Health Care Organizations~~—or, the Commission on~~
14 Accreditation of Rehabilitation Facilities, or an Indian Health Service's quality assurance review
15 under the Indian Health Service Manual, Professional Standards-Alcohol/Substance Abuse, as
16 described in § 34-20A-2, the Division of Alcohol and Drug Abuse retains the right of access to
17 all facility premises and relevant records to monitor compliance or investigate complaints
18 brought against the facility.